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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13
 14 CAROL LESH, as an individual, on behalf of
 15 herself, the general public, and those similarly
 16 situated,

Plaintiff,

Case No. 4:22-cv-01036-HSG (TSH)

**STIPULATION AND
 [PROPOSED] ORDER TO STAY
 CASE DEADLINES (L.R. 6-2)**

17 v.
 18 D'S NATURALS, LLC d/b/a NO COW,
 19
 20 Defendant.

Judge: Hon. Haywood S. Gilliam, Jr.
 Action Filed: February 18, 2022
 FAC Filed: April 5, 2023

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STIPULATION

Pursuant to Northern District of California Local Rule 6-2 and 7-12, Plaintiff Carol Lesh (“Plaintiff”) and Defendant D’s Naturals LLC d/b/a No Cow (“Defendant” or “No Cow”), by and through their undersigned counsel, stipulate as follows:

WHEREAS, on February 18, 2022, Plaintiff filed her Complaint (Dkt. No. 1);

WHEREAS, on April 26, 2022, No Cow filed a Motion to Dismiss Plaintiff's Complaint (Dkt. No. 17);

WHEREAS, on March 15, 2023, the Court granted in part and denied in part No Cow's Motion to Dismiss Plaintiff's Complaint (Dkt. No. 33);

WHEREAS, on April 5, 2023, Plaintiff filed her First Amended Complaint (Dkt. No. 34);

WHEREAS, on April 19, 2023, No Cow Answered Plaintiff's First Amended Complaint (Dkt. No. 37);

WHEREAS, on May 10, 2023, the Court entered its Order setting case deadlines in this matter, including; class certification motion on December 19, 2023; opposition to class certification motion on February 13, 2024; reply to class certification motion on April 9, 2024; and hearing on the class certification motion on May 9, 2024 (Dkt. No. 44);

WHEREAS, on September 5, 2023, the parties filed their only Discovery Letter Brief in this matter (Dkt. No. 53);

WHEREAS, on September 6, 2023, this Court referred this case, including the parties' Discovery Letter Brief, for discovery purposes to Magistrate Judge Thomas S. Hixson;

WHEREAS, on September 6, 2023, the Parties reached an agreement in principle to resolve this matter;

WHEREAS, on September 7, 2023, Judge Hixson scheduled an in-person discovery hearing regarding the parties' Discovery Letter Brief for September 14, 2023 (Dkt. No. 56);

WHEREAS, the parties have met and conferred and agreed to an up to 14-day stay of all deadlines, including fact discovery and class certification briefing deadlines as well as discovery hearings, to allow the parties to finalize a potential settlement;

WHEREAS, the parties believe that an up to 14-day stay to allow the parties to explore

1 resolution may avoid the costs of discovery and class certification briefing, and promote judicial
 2 efficiency;

3 WHEREAS, the parties respectfully request that the September 14, 2023 in-person
 4 discovery hearing be adjourned to promote judicial efficiency and conserve the resources of the
 5 parties and the Court;

6 WHEREAS, this stipulation is made in good faith and not for delay or any other improper
 7 purpose.

8 THEREFORE, IT IS AGREED AND STIPULATED that:

9 1. All case deadlines and motion practice in this action are stayed for up to 14 days,
 10 until on or before September 27, 2023;

11 2. If the parties have not resolved this action within 14 days from the date of this
 12 stipulation (i.e., by September 27, 2023), the parties will file a status report and/or request an
 13 immediate status conference with the Court to address case scheduling.

14 Dated: September 13, 2023

MORRISON & FOERSTER LLP

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 17 By: /s/ William F. Tarantino
 WILLIAM F. TARANTINO

18 Attorneys for Defendant
 19 D'S NATURALS, LLC d/b/a NO COW

20 Dated: September 13, 2023

21 SETH A. SAFIER
 KALI BACKER
 22 GUTRIDE SAFIER LLP

23 By: /s/ Seth A. Safier (with permission)
 24 SETH A. SAFIER

25 Attorneys for Plaintiff

ATTESTATION OF E-FILED SIGNATURE

I, William F. Tarantino, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Seth Safier has concurred in this filing.

Dated: September 13, 2023

/s/ William F. Tarantino
WILLIAM F. TARANTINO

Attorneys for Defendant
D'S NATURALS, LLC d/b/a NO COW

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the case schedule is stayed for up to 14 days, until on or before September 27, 2023. The September 14, 2023 in-person discovery hearing is adjourned.

DATED:

HON. HAYWOOD S. GILLIAM, JR
United States District Court Judge